

HOUSE BILL 528

By Moody

AN ACT to amend Tennessee Code Annotated, Section 49-5-106, relative to temporary teaching permits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-5-106, is amended by deleting the section and substituting:

(a) Whenever a director of schools and the chair of the respective board of education or the director of a public charter school and the governing body of the public charter school certify to the commissioner of education that the LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists, the commissioner may grant, on behalf of the state board of education, under conditions prescribed in its rules, a temporary permit to teach in the unfilled position to a person recommended by the director of schools of the respective LEA or the director of the public charter school and approved by the commissioner, which temporary permit is valid only until June 30 following the date of issuance.

(b) A local board or the governing body of a public charter school may contract with a teacher holding a permit, but not holding a valid license, only for the period of time during which the local board or governing body is unable to secure a qualified teacher with a valid license for the type and kind of school.

(c) It is the intent of the general assembly to urge local boards and their respective directors of schools and public charter school governing bodies and the respective directors of the public charter schools to make every effort to staff

kindergarten through grade twelve (K-12) teaching positions with personnel fully licensed and endorsed for those grades.

(d) A director of schools or a director of a public charter school who learns of the conviction of a teacher holding a temporary permit who is employed by the LEA or public charter school, respectively, for any offense listed in § 49-5-417(a) shall report the conviction to the state board of education. The state board shall set the time frame within which a director of schools or a director of a public charter school shall report a conviction of a teacher holding a temporary permit. The state board may specify other offenses that a director of schools or the director of a public charter school is required to report upon learning of a conviction of a teacher holding a temporary permit for such offense.

(e) A director of schools or the director of a public charter school shall report to the state board teachers holding a temporary permit who are employed by the LEA or public charter school, respectively, who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for disciplinary action under state board rules. As used in this subsection (e), "sexual misconduct" has the same meaning as defined in § 49-5-417(5).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.